

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

POTBELLY CORPORATION,

Plaintiff,

v.

BEAZLEY INSURANCE COMPANY, INC.,

Defendant.

No. 2:25-cv-00688-RSM

STIPULATION TO SET TIME
FOR DEFENDANT TO RESPOND
TO COMPLAINT

Pursuant to Local Civil Rules 7(d)(1), 7(j) and 10(g), Plaintiff Potbelly Corporation (“Potbelly”) and Defendant Beazley Insurance Company, Inc. (“Beazley”) hereby stipulate and agree to set the time for Beazley to respond to Potbelly’s Complaint, subject to the Court’s approval.

1. By Complaint dated March 21, 2025, Potbelly commenced an action in the Superior Court of the State of Washington, King County, captioned as *Potbelly Corporation v. Beazley Insurance Company, Inc.*, Case No. 25-2-09144-9 SEA (the “State Court Action”). Potbelly provided a copy of the Complaint to Beazley, but did not serve it with a summons.

2. On March 27, 2025, Potbelly re-filed the State Court Action Complaint with a new case number, Case No. 25-2-09728-5 SEA. Beazley was not served with a copy of the March 27, 2025 Complaint or with a summons.

3. On April 16, 2025, Beazley removed the State Court Action to this Court. Dkt. 1.

4. Because Beazley has not been served with a summons, Beazley currently does not have a deadline to respond to the Complaint. Fed. R. Civ. P. 81(c).

5. On June 2, 2025, counsel for Potbelly and Beazley conferred and agreed to schedule a private mediation in an effort to resolve this matter.

6. The Parties have scheduled a mediation for July 2, 2025.

7. In order to accommodate settlement negotiations, Beazley has agreed to accept service via its counsel in this case, and the Parties have agreed and hereby stipulate (subject to Court approval) that Beazley's deadline to respond to the Complaint shall be July 9, 2025.

8. Good cause exists for the Court to grant the requested relief to allow the Parties to explore early resolution of this matter.

9. Except for the requested deadline described above, the Parties have not sought or obtained any prior extension of time for Beazley to respond to Potbelly's Complaint in this matter.

IT IS SO STIPULATED.

DATED this 3rd day of July, 2025.

PLAINTIFF POTBELLY CORPORATION

DEFENDANT BEAZLEY
INSURANCE COMPANY, INC.

By: /s/ Michael E. Scoville

By /s/ Lauren Rainwater

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ORDER

For good cause shown, the Court GRANTS the Parties' stipulated motion. Defendant Beazley's deadline to respond to the Complaint shall be July 9, 2025.

IT IS SO ORDERED this _3rd__ day of July, 2025.



RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE